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2 **Alan M. Klein, State Bar No. 92785**  
3 **LAW OFFICE OF ALAN M. KLEIN CORP.**  
4 **16311 Ventura Boulevard, Suite 1200**  
5 **Encino, California 91436**  
6 **Telephone: (818) 986-3141**  
7 **Facsimile: (818) 986-8141**

8 **Attorney for Defendants Mackson, Inc, Zulily, Inc.**  
9 **And Burlington Coat Factory Direct Corp.**

10  
11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 **STAR FABRICS, INC.**  
14 **a California Corporation,**

15 **Plaintiff,**

16 **vs.**

17 **MACKSON, INC., a New York**  
18 **Corporation; ZULILY, INC., a**  
19 **Delaware Corporation; BURLINGTON**  
20 **COAT FACTORY DIRECT CORP., a**  
21 **Delaware Corporation; and DOES 1**  
22 **through 10,**

23 **Defendants.**

24 **) Case No. 2:15-CV-05075-DSF-RAO**

25 **)**

26 **) DECLARATION OF**  
27 **) ALAN KLEIN IN SUPPORT OF**  
28 **) ALAN M. KLEIN'S MOTION FOR**  
**) LEAVE TO WITHDRAW AS**  
**) COUNSEL FOR MACKSON, INC.,**  
**) ZULILY, INC. AND BURLINGTON**  
**) COAT FACTORY DIRECT CORP.**

**) Judge: Hon. Dale S. Fischer**

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29 **I, Alan M. Klein, declare as follows:**

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31 1. I am an attorney at law duly licensed to practice in the State of  
32 California. I am an attorney at the Law Office of Alan M. Klein Corp. ("Law  
33 Office of Alan M. Klein"), attorney of record for defendants Mackson, Inc.,  
34 ("Mackson"), Zulily, Inc. ("Zulily") and Burlington Coat Factory Direct Corp.  
35 ("Burlington") herein. I have personal knowledge of the matters set forth in this

36  
37 **DECLARATION OF ALAN KLEIN IN SUPPORT OF ALAN M. KLEIN'S MOTION FOR**  
38 **LEAVE TO WITHDRAW AS COUNSEL FOR MACKSON, INC., ZULILY, INC. AND**  
**BURLINGTON COAT FACTORY DIRECT CORP.**

1 declaration and, if called and sworn as a witness, I could and would testify  
2 competently thereto under oath.

3 2. This action has been resolved as to Zulily, Burlington and Ross  
4 Stores. Plaintiff is to timely file the Dismissal of these Defendants as per the  
5 corresponding Settlement Agreements and a Stipulation re Dismissal is currently  
6 being circulated for signatures of counsel. The only remaining defendant is  
7 Mackson.

8 3. On May 4, 2016, I spoke with Mr. Harjeet Monga, CFO of Mackson  
9 and he confirmed that Mackson's address is 40 Gazza Blvd, Farmingdale, New  
10 York 11735 and its phone number is 631-270-4811. I have verified this as  
11 accurate.

12 4. The address set forth above will be the address to which all future  
13 documents will be served or sent until changed by appropriate notice or  
14 substitution of attorney. I informed Mr. Harjeet Monga, CFO of Mackson this on  
15 May 4, 2016 by telephone and by mailing this Declaration to him. I have informed  
16 all attorneys of record of this by serving this declaration upon them by the ECF  
17 System and my mail.

18 5. I have informed Mackson, Inc. of the future dates set in this action on  
19 the phone on May 4, 2016, and by serving this notice. The dates are as follows:

20 a) Mackson's response to Interrogatories and Documents Requests are past due.

21 b) Discovery Cut-Off: 6/7/2016.

22 c) Expert Witness Exchange Deadline: Initial 7/5/2106; Rebuttal 8/2/2016; Cut-off  
23 8/16/16.

24 d) Motion cut-off: 6/27/2016.

25 e) ADR Cut-off: 7/11/2016.

26  
27 DECLARATION OF ALAN KLEIN IN SUPPORT OF ALAN M. KLEIN'S MOTION FOR  
28 LEAVE TO WITHDRAW AS COUNSEL FOR MACKSON, INC., ZULILY, INC. AND  
BURLINGTON COAT FACTORY DIRECT CORP.

1 f) Final pre-trial Conference: 9/12/2016 at 3:00 PM.

2 g) Trial Date: 10/4/2016 at 8:30 A.M.

3 h) Current Mediation Date: 6/2/2016.

4 6. I have informed Mackson by telephone on May 4, 2016, and by  
5 serving this Declaration that it cannot appear without counsel and the  
6 consequences of its failure timely to obtain counsel.

7 7. I have informed Mackson by telephone and by serving this  
8 Declaration that it may obtain its case file at my office or Wendi Oppen Uzar's  
9 office at Miskin & Tsui-Yip LLP, 1350 Broadway, Suite 802, New York, New  
10 York 10018.

11  
12 I declare under penalty of perjury under the laws of the United States of America  
13 that the foregoing is true and correct.

14  
15 Executed On May 4, 2016 at Encino, California.

16  
17 */s/ Alan M. Klein*

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19 Alan M. Klein

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27 DECLARATION OF ALAN KLEIN IN SUPPORT OF ALAN M. KLEIN'S MOTION FOR  
28 LEAVE TO WITHDRAW AS COUNSEL FOR MACKSON, INC., ZULILY, INC. AND  
BURLINGTON COAT FACTORY DIRECT CORP.

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action and a member of the bar of this court. My business address is 16311 Ventura Blvd., Suite 1200, Encino, California 91436.

I hereby declare that on May 4, 2015, a copy of the foregoing documents was filed with the United States District Court for the Central District of California in accordance with its Electronic Case Filing (ECF) procedures and served upon the attorneys of record for the parties to this action thru ECF via e-mail thru ECF to:

Stephen M. Doniger, Esq. (SBN 179314)	Attorneys for Star Fabrics
Scott A. Burroughs, Esq. (SBN 235718)	
Howard S. Han (SBN 243406)	
DONIGER / BURROUGHS	
603 Rose Avenue	
Venice, California 90291	

Mark Brutzkus, Esq.	Attorneys for Ross Stores
Jeffrey A. Kobulnick, Esq.	
Brutzkus Gubner Rozansky Seror Weber LLP	
21650 Oxnard Street, Suite 500	
Woodland Hills, CA 91367-4911	

Andrew V. Jablon, Esq.	Attorneys for Burlington
Resch Polster and Berger LLP	Coat Factory, Inc.
1840 Century Park East, 17 <sup>th</sup> Floor	
Los Angeles, CA 9067	

I also, on said date, mailed a copy of the foregoing document, by first class mail, with postage pre-paid, addressed to:

Harjeet Monga  
Chief Financial Officer  
Mackson, Inc.  
40 Gazza Blvd.  
Farmingdale, NY 11735

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed this 4<sup>th</sup> day of May, 2016, at Los Angeles, California.

/s/ Alan M. Klein

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Alan M. Klein

DECLARATION OF ALAN KLEIN IN SUPPORT OF ALAN M. KLEIN'S MOTION FOR  
LEAVE TO WITHDRAW AS COUNSEL FOR MACKSON, INC., ZULILY, INC. AND  
BURLINGTON COAT FACTORY DIRECT CORP.